

# HOUSE . . . . . No. 3878

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Mr. Dempsey of Haverhill, for the committee on Ways and Means, on House, No. 3761, reported, in part, a Bill making appropriations for the fiscal year 2012 to provide for supplementing certain existing appropriations and for certain other activities and projects (House, No. 3878). January 12, 2012.

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## The Commonwealth of Massachusetts

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In the Year Two Thousand Twelve  
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An Act making appropriations for the fiscal year 2012 to provide for supplementing certain existing appropriations and for certain other activities and projects.

*Whereas*, The deferred operation of this act would tend to defeat its purposes, which are forthwith to make supplemental appropriations for fiscal year 2012 and to make certain changes in law, each of which is immediately necessary to carry out those appropriations or to accomplish other important public purposes, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows*

1                   To provide for supplementing certain items in the general appropriation act and  
2 other appropriation acts for fiscal year 2012, the sums set forth in section 2 are hereby appropriated  
3 from the General Fund unless specifically designated otherwise in this act or in those appropriation  
4 acts, for the several purposes and subject to the conditions specified in this act or in those  
5 appropriation acts, and subject to the laws regulating the disbursement of public funds for the fiscal  
6 year ending June 30, 2012. These sums shall be in addition to any amounts previously appropriated  
7 and made available for the purposes of those items.

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9	SECTION 2.
10	JUDICIARY
11	<i>Massachusetts Legal Assistance Corporation</i>
12	0321-1600 .....\$1,000,000
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14	SECRETARY OF THE COMMONWEALTH
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16	<i>Office of the Secretary of the Commonwealth</i>
17	0521-0000 .....\$101,125
18	TREASURER AND RECIEVER GENERAL
19	<i>Office of the Treasurer and Receiver General</i>
20	0612-0105 .....\$200,000
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22	EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE
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24	<i>Group Insurance Commission</i>
25	1108-5201 .....\$989,250
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27	<i>Appellate Tax Board</i>
28	1310-1000 .....\$275,000

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*Reserves*

1599-0026 .....	\$1,000,000
1599-1705 .....	\$353,000
1599-1709 .....	\$350,258
1599-4430 .....	\$5,100,000

EXECUTIVE OFFICE OF ENERGY AND ENVIRONMENTAL AFFAIRS

*Office of the Secretary*

2000-0100 .....	\$962,000
2030-1000 .....	\$727,850

*Department of Agricultural Resources*

2511-0100 .....	\$34,361
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EXECUTIVE OFFICE OF HEALTH AND HUMAN SERVICES

*Department of Veterans Services*

1410-0010 .....	\$10,000
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*Office of the Secretary*

4000-0600 .....	\$35,000,000
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*Department of Youth Services*

4200-0100 .....	\$600,000
4200-0300 .....	\$1,100,000

*Department of Transitional Assistance*

52 4403-2119 .....\$140,000

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54 EXECUTIVE OFFICE OF HOUSING AND ECONOMIC DEVELOPMENT

55 *Department of Housing and Community Development*

56 7004-0099 .....\$10,000

57 7004-0102 .....\$230,000

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59 EXECUTIVE OFFICE OF EDUCATION

60 *Department of Higher Education*

61 7066-0021 .....\$1,800,000

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63 EXECUTIVE OFFICE OF PUBLIC SAFETY AND HOMELAND SECURITY

64 *Department of Criminal Justice Information Services*

65 8000-0110 .....\$150,000

66 *Office of the Chief Medical Examiner*

67 8000-0122 .....\$140,000

68 *Massachusetts Emergency Management Agency*

69 8800-0001 .....\$150,000

70 *Department of Correction*

71 8900-0010 .....\$1,022,263

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73 SHERIFFS

74 *Hampden Sheriff's Department*

75	8910-0102 .....	\$1,811,152
76	<i>Worcester Sheriff's Department</i>	
77	8910-0105 .....	\$693,920
78	<i>Middlesex Sheriff's Department</i>	
79	8910-0107 .....	\$4,699,590
80	<i>Hampshire Sheriff's Department</i>	
81	8910-0110 .....	\$960,444
82	<i>Berkshire Sheriff's Department</i>	
83	8910-0145 .....	\$1,410,841
84	<i>Franklin Sheriff's Department</i>	
85	8910-0108 .....	\$1,000,000
86	<i>Essex Sheriff's Department</i>	
87	8910-0619 .....	\$1,459,679
88	<i>Barnstable Sheriff's Department</i>	
89	8910-8200 .....	\$1,800,000
90	<i>Bristol Sheriff's Department</i>	
91	8910-8300 .....	\$1,904,189
92	<i>Dukes Sheriff's Department</i>	
93	8910-8400 .....	\$183,204
94	<i>Norfolk Sheriff's Department</i>	
95	8910-8600 .....	\$3,800,000
96	<i>Plymouth Sheriff's Department</i>	
97	8910-8700 .....	\$1,743,757

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*Suffolk Sheriff's Department*

8910-8800 .....\$6,100,000

SECTION 2A. To provide for certain unanticipated obligations of the commonwealth, to provide for an alteration of purpose for current appropriations, and to meet certain requirements of law, the sums set forth in this section are hereby appropriated from the General Fund unless specifically designated otherwise in this section, for the several purposes and subject to the conditions specified in this section, and subject to the laws regulating the disbursement of public funds for the fiscal year ending June 30, 2012. These sums shall be in addition to any amounts previously appropriated and made available for the purposes of those items.

EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE

*Office of the Secretary of Administration and Finance*

1106-0065 For the oversight of a sonar study of groundfish in the Atlantic Ocean, including but not limited to cod, haddock and yellowtail to be conducted by the Scientific Oversight of the North Atlantic Region project; provided further, that the secretary shall report on the status of the oversight project to the chairs of the house and senate committees on ways and means on or before April 1, 2012 .....\$200,000

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*Reserves*

1599-4282 To provide for certain collective bargaining costs, including the cost of salary  
adjustments and other economic benefits authorized by the collective  
bargaining agreements between the Commonwealth of Massachusetts and the  
Service Employees International Union, Local 509, Units 8 and 10 for fiscal  
year 2012.....\$2,893,000

1599-4380 For a reserve to support information technology requirements and improve  
information technology infrastructure at state agencies and departments;  
provided that the secretary of administration and finance, in consultation with  
the chief information officer of the commonwealth, may transfer amounts  
from this account to items 1100-1700, 2000-1700, 4000-1700, 7002-0017,  
7009-1700 and 8000-1700; provided further that in making transfers, the  
secretary shall prioritize maintaining existing information technology capacity  
and necessary improvements to address data security and data access; and  
provided further that within 30 days of any transfers from this fund the  
secretary shall report to the house and senate committees on ways on: (1)  
amounts transferred from this account by line item, and (2) the methodology  
used to determine transfers from this account .....\$20,420,000

4100-0062 For the division of health care finance and policy, which may expend for the migration of health safety net claims adjudication to the executive office of health and human services through its MMIS system, and for the maintenance of that claims adjudication, an amount equal to the amount of federal financial participation received by the state for such activities, not to exceed \$6,000,000; provided, that the federal revenue received for such expenditures shall be deposited in the General Fund and an amount equal to such revenue shall be transferred in this account; and provided further, that notwithstanding any general or special law to the contrary, and for the purpose of accommodating timing discrepancies between the receipt of retained revenues and related expenditures, the division may incur expenses in anticipation of revenue, after written approval from the secretary of administration and finance, and the comptroller shall certify for payment, amounts not to exceed the lower of this authorization or the most recent revenue estimate, as reported in the state accounting system.....\$6,000,000

## EXECUTIVE OFFICE OF HOUSING AND ECONOMIC DEVELOPMENT

### *Department of Housing and Community Development*

7004-1000 For a state supplement to the federal Low Income Home Energy Assistance Program 42 U.S.C. section 8621 et seq., for the purpose of assisting low-income elders, working families and other households with the purchase of heating oil, propane, natural gas, electricity and other primary or secondary



163 heating sources; provided, that expenditure of these supplemental funds shall  
164 be made in accordance with the state plan submitted by the department of  
165 housing and community development for operation of the fiscal year 2012  
166 program, in accordance with federal law; provided further, that the department  
167 shall establish the maximum assistance for which a household shall be eligible  
168 commensurate with the increased funding provided in this item; provided  
169 further that any federal funds received for fiscal year 2012 for the Low  
170 Income Home Energy Assistance Program that exceed \$163,776,315, shall be  
171 used to reimburse the state for expenditures made under this line item, up to  
172 the amount appropriated herein .....\$21,187,407

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174 SECTION 3. Section 172 of chapter 6 of the General Laws, as appearing in the 2010 Official  
175 Edition, is hereby amended by inserting after the word “more”, in line 184, the following words:-  
176 , for 10 years following the disposition thereof, including termination of any period of  
177 incarceration or custody.

178 SECTION 4. Section 1 of Chapter 29 of the General Laws, as so appearing, is hereby amended  
179 by inserting at the end of the definition of “Consolidated net surplus in the budgetary funds” the  
180 phrase “and section 35NN of chapter 10.”

181 SECTION 5. Section 3 of chapter 30A of the General Laws, as so appearing, is hereby amended  
182 by striking out the fourth paragraph and inserting in place thereof the following paragraph:-

183 A small business impact statement shall be filed with the state secretary on the same day the  
184 notice is filed and shall accompany the notice. Notwithstanding section 6, the state secretary

shall include the small business impact statement on the electronic website of the state secretary, and the statement may be inspected and copied in the office of the state secretary during business hours.

SECTION 6. The definition of “regular compensation” in section 1 of chapter 32 of the General Laws, as amended by section 6 of chapter 176 of the acts of 2011, is hereby further amended by striking out, in the first sentence, the words “; provided, however, that if the employee receives compensation for wages in whatever form from the federal government and such wages were not reported to any employing authority, such wages shall not be counted as regular compensation for the purposes of the benefits provided in this chapter”.

SECTION 7. Subdivision (1) of said section 4 of said chapter 32, as most recently amended by section section 10 of chapter 176 of the acts of 2011, is hereby further amended by striking out the words “retired member of the Boston Teachers Retirement System” and inserting in place thereof the following words:- member who retired as a teacher from the State-Boston Retirement System.

SECTION 8. Subdivision (2) of section 5 of chapter 32, as most recently amended by section 18 of said chapter 176, is hereby amended by striking out the word “excluding” and inserting in place thereof the following word:- from.

SECTION 9. Paragraph (ii) of subdivision (4) of section 5 of chapter 32 of the General Laws, as most recently amended by section 21 of chapter 176 of the acts of 2011, is hereby further amended by striking out the words “January 1” and inserting in place thereof the following:- April 2.

SECTION 10. Section 15 of chapter 32 of the General Laws, as amended by section 31 of chapter 176 of the acts of 2011, is hereby further amended by adding the following subdivision:-

(7) In no event shall any member be entitled to receive a retirement allowance under sections 1 to 28, inclusive, which is based upon a salary that was intentionally concealed from or intentionally misreported to the commonwealth or any political subdivision, district, or authority of the commonwealth, as determined by the commission. If a member intentionally concealed compensation from or intentionally misreported compensation to any entity to which the member was required to report the compensation, even if the reporting was not required for purposes of calculating the member's retirement allowance, the member's retirement allowance shall be based only upon the regular compensation actually reported to that entity or the amount reported to the board, whichever is lower. The member shall receive, unless otherwise prohibited by law, a return of any accumulated total deductions paid on amounts in excess of the compensation actually reported, but no interest shall be payable on the accumulated deductions returned to the member.

SECTION 11. Section 23B of chapter 32, inserted by section 42 of said chapter 176, is hereby amended by inserting after the words "employment agreements," the following words:-  
contingency fee agreements,.

SECTION 12. Section 91 of chapter 32, as most recently amended by section 50 of said chapter 176, is hereby amended by striking out the words "first year" and inserting in place thereof the following words:- first 12 months.

SECTION 13. Section 6 of chapter 32A of the General Laws, as appearing in the 2010 Official Edition, is hereby amended by inserting after the second sentence the following 2 sentences:-

For active and retired employees, their dependents, and their survivors, including municipal subscribers, except as otherwise required by state or federal law, and except effective July 1 of any year, the commission shall not alter the schedule of copayments and deductibles for health plans, or alter any other terms relating to health plans which would require authorization by vote of the commissioners, but, for health plans whose rates change on January 1 instead of July 1, the commission may make such changes effective January 1. If, however, the governor reduces allotments to the commission under section 9C of chapter 29, the commission may make any necessary adjustments to account for the reduction, but the commission shall not alter the contribution ratios provided in the most recent applicable appropriation act.

SECTION 14. Subsection (9) of section 8 of chapter 44 of the General Laws, as amended by section 3 of chapter 52 of the acts of 2011, is hereby further amended by striking out the words “as determined by the director” and inserting in place thereof the following words:- , or such longer period not to exceed 10 years as determined by the director after taking into consideration the ability of the city, town or district to provide other essential public services and pay when due the principal and interest on its debts, the amount of federal and state payments likely to be received for the purpose of the appropriations and such other factors as the director may deem necessary or advisable.

SECTION 15. Section 7C of chapter 74 of the General Laws, as appearing in the 2010 Official Edition, is hereby amended by striking out the second sentence, in lines 6 to 16, and inserting in place thereof the following 2 sentences:-

If an approved vocational school established by a regional school district or a public independent vocational school accepts a student who resides in a town, other than a member town of said

district, which does not maintain such a vocational school, the regional vocational school district to which the town where the student resides belongs, shall pay a tuition fee to be fixed by the regional district school committee or by the board of trustees of a public independent vocational school and approved by the commissioner under the direction of the state board; provided, however that the regional vocational school district to which the town where the student resides belongs shall not be required to pay any portion of the tuition of any student residing in the member town who is enrolled in a post-secondary vocational program. If an approved vocational school established by a regional school district or a public independent vocational school accepts a student who resides in a town which does not belong to any regional vocational school district, the town in which such student resides shall pay a tuition fee to be fixed by the regional district school committee or by the board of trustees of a public independent vocational school and approved by the commissioner under the direction of the state board; provided, however, that the town shall not be required to pay any portion of the tuition of any student residing in the non-member town who is enrolled in a post-secondary vocational program.

SECTION 16. Section 64 of chapter 143 of the General Laws, as so appearing, is hereby amended by inserting after the word "residences", in line 5, the following words:- , attached and detached,.

SECTION 17. Chapter 176J of the General Laws is hereby amended by inserting after section 11 the following 2 sections:-

Section 11A. A select or limited network plan shall continue to provide coverage for medically necessary services that are part of the treatment program for patients undergoing an active course of treatment prior to joining the select or limited network by a comprehensive cancer center,

pediatric hospital or pediatric specialty unit, as defined in section 1 of chapter 118G, that does not participate in a carrier's select or limited network plan.

For services provided under this section, reimbursement shall be based on median in-network rates of that specific provider in such carrier's private plans in a manner consistent with data filed by such carrier with the division of health care finance and policy. Patient cost sharing responsibility may not exceed the lowest copayment obligation established by such carrier for the receipt of any health care service offered through the carrier's select or limited network.

Section 11B. Patients undergoing an active course of treatment by a comprehensive cancer center, pediatric hospital or pediatric specialty unit, as defined in section 1 of chapter 118G, prior to joining a tiered network shall not have a patient cost sharing responsibility in excess of the lowest-cost sharing tier in a two tiered plan or in excess of the first tier above the lowest-cost sharing tier in a 3 or more tiered plan; provided, that such comprehensive cancer center, pediatric hospital or pediatric specialty unit is providing the insured with an ongoing course of treatment otherwise not available in-network.

SECTION 18. Section 11A of chapter 176J of the General Laws is hereby amended by striking out the first paragraph and inserting in place thereof the following paragraph:-

For an insured member who is undergoing an active course of treatment and is newly enrolled in a select or limited network plan, the carrier shall provide coverage for those medically necessary services that are part of a treatment program provided by a health care provider not participating in a carrier's plan pursuant to section 11 of chapter 176J for the duration of the active course of treatment; provided that: (1) the insured's employer only offers the insured a choice of plans in

296 which the provider is not a participant; (2) said provider is a comprehensive cancer center,  
297 pediatric hospital or pediatric specialty unit as defined in section 1 of chapter 118G; and (3) said  
298 provider is providing the insured with an ongoing course of treatment otherwise not available in-  
299 network.

300 SECTION 19. Section 11B of chapter 176J of the General Laws is hereby repealed.

301 SECTION 20. Section 25 of chapter 175 of the Acts of 1998 is hereby repealed.

302 SECTION 21. Section 1 of chapter 172 of the Act of 1999 is hereby repealed.

303 SECTION 22. Section 8 of chapter 45 of the Acts of 2005 is hereby repealed.

304 SECTION 23. Section 78 of chapter 123 of the Acts of 2006 is hereby repealed.

305 SECTION 24. Section 33 of chapter 112 of the Acts of 2010 is hereby repealed.

306 SECTION 25. Section 2 of chapter 131 of the acts of 2010 is hereby amended by striking out the  
307 figure “8400-0100” and inserting in place thereof the following figure:- 8400-0101.

308 SECTION 26. Item 1599-1705 in section 2 of chapter 52 of the acts of 2011 is hereby amended  
309 by adding the following words:- provided further, that \$353,000 shall be expended for  
310 reimbursements to school districts for education transportation cost increases due to the tornado;.

311 SECTION 27. Item 1108-5201 in section 2 of chapter 68 of the acts of 2011 is hereby amended  
312 by striking the figure “\$1,028,612” and inserting in place thereof, each time it appears, the  
313 following figure:- \$2,017,862.

314 SECTION 28. Section 2 of chapter 68 of the acts of 2011 is hereby amended by striking out the  
315 figure “7007-0951” and inserting in place thereof the following figure:- 7007-0952.

SECTION 29. Item 1599-0026 of said section 2 of said chapter 68 is hereby amended by inserting after the words “aid share for fiscal year 2012” the following words:- ; provided further, that not less than \$1,000,000 shall be expended to fund a pilot program in Norfolk County, including projects of regionalized county government services.

SECTION 30. Chapter 68 of the acts of 2011 is hereby amended by striking out, in item 2000-0100, the words, “the executive office shall expend not less than \$150,000 for a program of collaborative research with academic institutions that apply satellite and other technologies in an innovative manner to an existing methodological model previously used in other fisheries to assess the biomass of groundfish in the region managed by the New England Fishery Management Council; provided further, that the executive office shall execute a memorandum of agreement with any such academic institution not later than 30 days after the effective date of this act; and provided further, that the memorandum shall require the timely production of information for use in the fisheries management process” and inserting in place thereof the following words:- the executive office shall expend not less than \$1,112,000 for a program of collaborative research with the Massachusetts Maritime Academy that applies sonar technology over significant surface area of the ocean to assess the biomass of groundfish in the region managed by the New England Fishery Management Council.

SECTION 31. Item 7004-0099 of said section 2 of said chapter 68 is hereby amended by adding the following words:- ; and provided further that not more than \$10,000 shall be expended on funding the scouting and community center project identified in item 7002-0702 in section 2 of chapter 182 of the acts of 2008.



SECTION 32. Item 8000-0122 of said section 2 of said chapter 68 is hereby amended by striking the figure “\$1,860,000” and inserting in place thereof, each time it appears, the following figure:- \$2,000,000.

SECTION 33. Item 1595-6379 of said section 2 of said chapter 68 is hereby amended by striking the figure “\$7,806,972” and inserting in place thereof, each time it appears, the following figure:- \$8,808,113.

SECTION 34. Chapter 87 of the Acts of 2011 is hereby amended by striking out, the second time it appears, the words “December 31, 2011” and inserting in place thereof, the words:- July 1, 2012.

SECTION 35. Section 1 of chapter 153 of the acts of 2011 is hereby amended by striking out the words “*First Plymouth.* – Consisting of precincts 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 14 and 15, of the town of Plymouth, in the county of Plymouth” and inserting in place thereof the following:-  
*First Plymouth.* – Consisting of precincts 2, 3, 4, 5, 6, 7, 8, 10, 11, 12, 14 and 15, of the town of Plymouth, in the county of Plymouth.

SECTION 36. Item 1599-1709 of chapter 171 of the acts of 2011 is hereby amended in section by inserting the following clause:- ; provided further that funds shall be transferred to reimburse the town of Hawley for costs associated with repairing a bridge over the Chickley River due to the flooding due to tropical storm Irene.

SECTION 37. Item 7004-0101 of section 6 of chapter 171 of the acts of 2011, is hereby further amended by striking out the words “families who appear to be ineligible” and inserting in place thereof the following words:- families who appear to be eligible.

SECTION 38. Said section 6 of said chapter is hereby further amended by striking out the words “provided further, that notwithstanding any general or special law to the contrary, 60 days before promulgating or amending any regulation or policy affecting eligibility, benefits or administration of this program, the department shall file with the house and senate committees on ways and means and the clerks of the senate and house of representatives a report setting forth justification for any such change including, but not limited to, any determination by the secretary of housing and economic development that available appropriations from the program will be insufficient to meet projected expenses;” and inserting in place thereof the following words:-

provided further, that notwithstanding any general or special law to the contrary, 60 days before promulgating or amending any regulations, administrative practice or policy that would alter eligibility for, or benefit level, other than that which would benefit the client, level of benefits under, this program, the department shall file with the house and senate committees on ways and means and the clerks of the senate and house of representatives a report setting forth justification for said changes, including but not limited to any determination by the secretary of housing and economic development that available appropriations from the program will be insufficient to meet projected expenses;.

SECTION 39. Section 7 of said chapter 171 is hereby amended by striking out the last clause and inserting in place thereof the following words:- provided further, that notwithstanding any general or special law to the contrary, 60 days before promulgating or amending any regulations, administrative practice or policy that would alter eligibility for, or level of benefits under, other than that which would benefit the client, this program, the department shall file with the house and senate committees on ways and means and the clerks of the senate and house of representatives a report setting forth justification for said changes, including but not limited to

any determination by the secretary of housing and economic development that available appropriations from the program will be insufficient to meet projected expenses;.

SECTION 40. Section 56 of chapter 176 of the acts of 2011 is hereby amended by striking out the words “April 15, 2012” and inserting in place thereof the following words:- November 30, 2012.

SECTION 41. Section 58 of said chapter is hereby amended by striking out the words “March 1, 2012” and inserting in place thereof the following:- November 30, 2012.

SECTION 42. Section 60 of said chapter 176 is hereby amended by striking out the words “under paragraph (4)” and inserting in place thereof the following words:- under paragraph (5).

SECTION 43. Notwithstanding any general or special law, rule or regulation to the contrary, the division of insurance shall conduct a review into the network adequacy and cost and quality-effectiveness of insurance products pursuant to section 11 of chapter 176J of the General Laws for the health care needs of children and the health care needs of cancer patients. The division of insurance shall promulgate regulations to ensure the needs of children and cancer patients are being met, consistent with cost and quality goals, and shall submit an annual report of its actions and potential legislative actions to the house and senate committees on ways and means and the joint committee on health care financing.

SECTION 44. The salary adjustments and other cost items authorized by the following 2011 amendments to collective bargaining agreements, for the period from July 1, 2011, to June 30, 2014, shall be effective for the purpose of section 7 of chapter 150E of the General Laws:

- (a) between the commonwealth and National Association of Government Employees for units 1, 3 and 6;

- (b) between the commonwealth and Alliance/AFSCME for unit 2;
- (c) between the commonwealth and New England Police Benevolent Association for unit 4A;
- (d) between the Essex sheriff and International Brotherhood of Correction Officers Local R1-71; and
- (e) between the Plymouth sheriff and Massachusetts Correctional Officers Federated Union Bureau of Criminal Investigation.

SECTION 45. Notwithstanding section 14 of chapter 151A of the General Laws, for calendar year 2012, the experience rate of an employer qualifying therefor under subsection (b) of said section 14 of said chapter 151A shall be the rate which appears in column "E" in clause (1) of subsection (i) of said section 14 of said chapter 151A.

SECTION 46. Notwithstanding any general or special law to the contrary, the comptroller shall transfer within ten days of the effective date of this act \$612,893 and the accrued interest on said amount as determined by the comptroller, from the General Fund or from other funds of the Commonwealth to the Marine Recreational Development Fund established pursuant to section 35NN of Chapter 10 of the General Laws.

SECTION 47. Section 10 of this act shall apply to any member under chapter 32 for whom a retirement allowance has not been finally approved before the effective date of this act.

SECTION 48. Sections 18 and 19 shall take effect on December 31, 2012.

SECTION 49. Section 35 of this act shall take effect November 3, 2011.

SECTION 50. Section 45 of this act shall take effect as of January 1, 2012.